

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:07CV232-1-T
(1:04CR114)

JAMES HARVEY SMITH,)	
)	
Petitioner,)	
)	
v.)	<u>J U D G M E N T</u>
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
_____)	

For the reasons set forth in the Memorandum and Order filed
herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Respondent's motion for summary judgment is **ALLOWED**, the
Petitioner's motion to vacate, set aside, or correct judgment pursuant to 28
U.S.C. § 2255 is **DENIED**, and this matter is hereby **DISMISSED WITH**
PREJUDICE in its entirety.

Petitioner is hereby placed on notice that no future motion pursuant
to 28 U.S.C. § 2255 may be filed absent permission from the United States
Fourth Circuit Court of Appeals.

Signed: June 26, 2008

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

